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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,908	11/13/2001	Toyoji Ikezawa	216061US2	6648
22850	7590	12/29/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			STERRETT, JONATHAN G	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/986,908

Applicant(s)

IKEZAWA ET AL.

Examiner

Jonathan G. Sterrett

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2-13-2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Summary*

1. Currently **Claims 1-30** are pending. Note that for the claims below, the examiner interprets the term “transaction” to mean “an interaction”. The more common meaning of “transaction” when used in the context of “sales” most usually means a concrete exchange, i.e., money for goods or services. Based on the specification’s description of a variety of activities leading up to a final sales culmination (i.e. closing a sale) – see Figure 9 for example – the examiner interprets the term “transaction” to mean interaction, since the “transactions” described in Figure 9 more clearly appear to be “interactions” rather than “transactions” in the context of sales activities.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 2, 7, 8, 15, 16, 21, 22, 29 and 30** are rejected under 35 U.S.C. 102(b) as being anticipated by the **SalesLogix Software Product** (hereinafter **SalesLogix**).

Business Wire, “SalesLogix New SolutionPacks Deliver Advanced Sales Forecasting and Enterprise Power; New Technology Facilitates Rapid Development of Custom SalesLogix Plug-Ins”, Nov 3, 1998, New York, p.1, ProQuest ID 35631983.

Regarding Claim 1, SalesLogix discloses:

**storing transaction information representing contents of each of a plurality of transactions in a storage, in association with each of the plurality of transactions each for providing commodities to customers,**

Page 2 paragraphs 4 & 5, sales data is stored in a variety of databases, e.g. SQL Server, Oracle and Interbase. The information stored relates to a plurality of sales interactions with customers (i.e. transactions) – these sales interactions are in association with providing commodities to customers.

**and storing progress information representing whether each of the plurality of transactions is in a state of attaining each of a plurality of stages each indicating a progress level of the transaction based on progress of sales activities performed for accomplishing the transaction, in association with the transaction information, in said storage; and**

Page 2 paragraph 8, the sales process is defined into terms of workflows – this means that the sales process is composed of a series of steps. The idea of a plurality of stages where each stage indicates a progress level is taught by the idea of pipeline management. Pipeline management includes the idea of a sales project being in various stages (i.e. locations in the pipeline) up until the point of closing. SalesLogix stores the pipeline information (i.e. detailing progress in the sale pipeline).

**estimating a future demand for the commodities, based on the transaction information and the progress information associated with the transaction information.**

Page 2 paragraph 9, dynamic forecasting provides for estimating a future demand for the commodities (i.e. items being sold). This forecast is based on the transaction (i.e. interaction information) information and is based on what is in the sales pipeline (i.e. progress information).

Regarding **Claim 2**, SalesLogix discloses:

**Wherein the stored transaction information includes information representing expected sales of the commodities in each of the plurality of transactions.**

Page 2 paragraph 9, forecasting includes information on accounts, contacts and opportunities (i.e. expected sales) for the opportunities in the pipeline and in tracking the plurality of transactions (i.e. interactions) – see also paragraph 8 for a discussion of how account information is tracked.

**Claims 7, 8, 15, 16, 21, 22, 29 and 30** recite similar limitations to those addressed by the rejection of **Claims 1 and 2**, and are therefore rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3-6, 9-14, 17-20 and 23-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over **SalesLogix** in view of **Cohen**.

Cohen, Andy; "Predicting the Future", Sept 1996, Sales and Marketing Management; 148, 9; ABI/INFORM Global, p.30.

Regarding **Claim 3**, SalesLogix teaches:

**determining the highest attained stage for each of the plurality of transactions, based on the progress information in association with each of the plurality of transactions,**

Page 2 paragraph 9, a sales funnel graph and the workflow processes discussed in paragraph 8 provide for determining the highest attained stage for the plurality of transactions. The terminology of pipeline management itself means that projects in the pipeline are tracked to determine their progress, the goal being that projects coming out of the pipeline do so in a consistent manner. The consistency required by the concept

of pipeline management, as it is known in the art, requires tracking the progress (i.e. determining highest attained stage).

**and summing expected sales of the commodities in each of the plurality of transactions with the same highest attained stage, at a plurality of points in time; and**

Page 2 paragraph 8, the workflow design taught means that there are prescribed steps (i.e. stages) to the sales process. Para 9 teaches that the system provides a view of the funnel so that the user can understand changes in the pipeline, i.e. how sales transactions change from one workflow step (i.e. stages) to another as sales calls are made, presentations, etc.

**estimating a future demand for the commodities, based on the expected sales of the commodities and an actual demand for the commodities.**

Paragraph 9, the dynamic forecasting provides for estimating a future demand, based on what is in the sales pipeline (i.e. expected sales). Visibility to changes in the pipeline that are provided by the system includes those sales that are being closed (i.e. an actual demand).

SalesLogix does not teach summing each of the expected sales of the commodities by stages in the pipeline based on the probability that the sale will close.

However the concept of using a probability of the sale to calculate an expected revenue is old and well known in the art as evidenced by Cohen.

Paragraph 4 of Cohen teaches that sales personnel estimate probabilities for each sale closing and within a certain time frame. Cohen also teaches the concept of sales pipeline management, where sales interactions (i.e. transaction) occur over time from an initial customer interaction to actually closing the sale.

Cohen teaches that the summing and probability approach result in prioritizing projects to better focus sales personnel effort (paragraph 4).

Both Cohen and SalesLogix address applying pipeline management and SFA tools to the sales process and thus both Cohen and SalesLogix are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of SalesLogix, regarding applying a workflow and pipeline management based approach to managing the sales process, to include the step of summing probabilistically expected sales pipeline prospects (i.e. sales amount times probability), as taught by Cohen, because it would result in improved sales force management.

Regarding **Claim 4**, SalesLogix teaches  
**calculating a change rate in the expected sales of the commodities based on the expected sales of the commodities, at each of the plurality of the stages,**



paragraph 9, dynamic forecasting includes calculating a change rate in the expected sales of the commodities through understanding changes in the sales pipeline. The use of graphs and charts that are updated as prospects move through the pipeline provide for calculating of changes that result in the forecasting being dynamically updated as information comes in from the field.

**and estimating the future demand for the commodities, based on the actual demand and the calculated change rates at the plurality of the stages.**

The demand occurs when projects exit the sales pipeline, i.e. deals are closed. This constitutes actual demand. The dynamic forecasting also estimates future demand based on what is in the pipeline and the series of workflow steps defining the sales process and pipeline by which sales opportunities are processed.

Regarding **Claim 5**, SalesLogix teaches the use of a pipeline to rationalize the sales process in various stages (as defined by the workflow steps provided by the software in para 8). The teaching of Saleslogix implies that sales projects take a period of time to go through the pipeline, as defined by the steps. SalesLogix does not teach calculating a forecasted demand by using a probability associated with each stage of a sales pipeline and basing on statistical data the probability that the sales will exit the stages and the pipeline in a period of time.

However, the concept of using probabilities to calculate a demand (i.e. revenue) based on specific times a project will exit the sales pipeline and the probability that the project will exit the sales pipeline is old and well known in the art as taught by Cohen.

Cohen teaches using various probabilities associated with projects in the pipeline and the time for closing with the amount of the sale to provide an expected value of what is in the sales pipeline.

Cohen teaches that the summing and probability approach result in prioritizing projects to better focus sales personnel effort (paragraph 4).

Both Cohen and SalesLogix address applying pipeline management and SFA tools to the sales process and thus both Cohen and SalesLogix are analogous art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of SalesLogix, regarding applying a workflow and pipeline management based approach to managing the sales process, to include the step of summing probabilistically expected sales pipeline prospects (i.e. sales amount times probability), as taught by Cohen, because it would result in improved sales force management.

Regarding **Claim 6**, SalesLogix teaches the use of a sales pipeline and workflow process steps to forecast sales demand as discussed above. SaleLogix teaches being able to identify specific orders that are in the pipeline in detail (para 9).

SalesLogix does not teach:

**making a plan for supplying the commodities, based on the expected demand and stock of the commodities.**

However Official Notice is taken that making a plan for supplying goods based on forecasted demand (i.e. expected demand) and product inventory is old and well known in the art of supply chain management. This ensures that material is on hand so that in the future, enough product is on hand to meet forecast demand.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of SalesLogix, to include the step of making a supply plan based on future demand and inventory of the commodities, because it would ensure that enough product is on hand to meet forecast demand.

**Claims 9-14, 17-20 and 23-28** recite similar limitations to those addressed by the rejection of **Claims 3-6** above, and are therefore rejected under the same rationale.

### ***Conclusion***

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10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

BusinessWire, "ChannelWave Introduces Release 2.0 of Partner Relationship Management Software; Solution to Help Companies Maximize Return on Channel Sales and marketing Efforts", Jan 1999, Dialog 04115649.

Agnew, Marion; "CRM Tools Offer Sales-Force Solutions", Aug 21, 2000, InformationWeek, 2000, 800, ABI/INFORM Global, p.116.

Bartholomew, Doug; "Sales Management Systems – Sales Tracking Gets Boost – Salessoft package helps managers keep track of prospective sales", Mar 1996, InformationWeek, p.89, ProQuest ID 10669373.

BusinessWire, "Deutsche Leasing Standardizes on Sieble eBusiness Applications", April 2001, p.0361, Dialog 08538868.

Greco, Susan; "The rating game: grade your leads to clear the pipe dreams from your sales pipeline", Jan 1998, Inc., v20, n1, p93(2), Dialog 10160906 20108610.

"SalesLogix2000 for Marketing tracks all your campaigns", web.archive.org saleslogix.com webpage of Nov 2001, pp.1-2.

Melberg, Pookie; "Do you know how profitable our customer relationships are?", Mar/Apr 1999, iCB, Banking Information Source, p.40.

Radice, Mike; "Sellution™, a new generation of advanced sales automation software, is introduced by MKTG: Marketing Technologies", June 1995, New York, PRNewswire, p.1, ProQuest ID 6336068.

PRNewswire, "Epicor's Customer Relationship Management Solution Enables Protocol Systems to Attain Significant Increase in Productivity", Feb 2000, New York, ProQuest ID 50459019.

BusinessWire, "Vantive Leads the Industry with Major New Release of Front Office Automation Suite", Dec 1997, p12080008, Dialog 05368525 48164168.

Grushkin, Barry, "Win-win marketing", Oct 1999, Intelligent Enterprise, 2, 14, ProQuest Computing, p.16.

Mico, Sandra, "Relationship management systems provide an advantage", Apr 1999, Trusts & Estates, 138, 5, ABI/INFORM Global, p. 17.

Cole, Stephen, "A Model Engagement", May 1997, CA Magazine, 130, 4, ABI/INFORM Global. p.29.

US 6078903 by Kealhofer discloses a method of analyzing a portfolio.

US 6151582 by Huang discloses a decision support system for management of a supply chain.

US 6625577 by Jameson discloses a method and system for allocation of resources.

US 6910017 by Woo discloses and inventory and price decision support system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is (571) 272-6881. The examiner can normally be reached on Monday-Friday, 8:00AM - 6:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JGS  
12/21/2005



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